

Congress of the United States
House of Representatives
Washington, DC 20515-0906

The Honorable Peter J. Kadzik
Assistant Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

February 1, 2016

Dear Assistant Attorney General Kadzik,

This responds to your letter dated November 23, 2015 in response to the request, on behalf of myself and forty three members of Congress requesting that the Attorney General appoint a special counsel to investigate the use of a private e-mail server and the handling of classified information by former Secretary of State Hillary Clinton.

Your response explained that special counsel may be appointed at the discretion of the Attorney General when an investigation or prosecution by the Department of Justice would create a potential conflict of interest or in other extraordinary circumstances in which the public interest would be served by such an appointment and that this authority was rarely exercised.

Based on your response, I have some additional questions. They are listed below:

1. Attorney General Loretta Lynch was appointed United States Attorney in New York by President Bill Clinton in 1999. Does the Department of Justice consider this a conflict of interest in the context of a federal investigation involving President Clinton's spouse?
2. President Obama's political appointees, including yourself, are being asked to impartially execute their respective duties as Department of Justice officials that may involve an investigation into the activities of the frontrunner for the Democratic nomination for President of the United States. Does the Department of Justice consider this a conflict of interest?
3. Would the presidential campaign of an individual qualify as an "extraordinary circumstance" in the context of special counsel regulations?

4. The letter stated that the authority to appoint a special counsel has “rarely been exercised.” Aren’t the current extraordinary circumstances involving the investigation of former Secretary of State Clinton’s private email server the precise reason the special counsel option exists?

5. The letter stated that “any investigation related to this referral will be handled by law enforcement professionals and career attorneys.” That being said, will President Obama’s political appointees be privy to the decision to convene a grand jury, prosecute, or seek a federal indictment in this case?

We greatly appreciate your prompt attention to these concerns and look forward to your response.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ron DeSantis", with a stylized, cursive script.

Ron DeSantis
Member of Congress